



October 29, 2007

Mr. Bret Martine
Studio JAED
20 E. Division Street
Dover, DE 1 9901

RE: PLUS review – PLUS 2007-09-04; Milford School District – Lemuel Street

Dear Mr. Martine:

Thank you for meeting with State agency planners on September 26, 2007 to discuss the proposed Milford School District site located on north Lemuel Lane near Lovers Lane. In Milford.

These comments reflect only issues that are the responsibility of the agencies represented at the meeting. The school district will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the City of Milford is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.

The following are a complete list of comments received by State agencies:

Office of State Planning Coordination – Contact: David Edgell 739-3090

This proposed school site is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. This site is also located within the City of Milford. Public facilities, such as schools, are desirable in Investment Level 1 areas where they are located near

infrastructure, public services, and the populations they serve. The State supports this location for new school construction.

Please note the comments from the DOE found below in this letter. They indicate that they support the acquisition of this parcel with 100% local funding, with no State funding participation.

Division of Historical and Cultural Affairs – Contact: Terrance Burns 739-5685

According to the historical resources and documents at the State Historic Preservation Office, there are no historic features, such as a National Register property, or Archaeological site on or within this parcel.

The developer should be aware of Delaware's Unmarked Human Remains Act of 1987, which governs the discovery and disposition of such remains. The unexpected discovery of unmarked human remains during construction can result in significant delays while the process is carried out, and the developer may want to hire an archaeological consultant to check for the possibility of a cemetery here if this development is approved.

Because of the nature of where this parcel is located there is a possibility that there still could be an un-discovered prehistoric or historic archaeological site on this parcel, or nearby. If any construction proceeds on this parcel, the State Historic Preservation Office of the Division of Historical & Cultural Affairs would like the opportunity to examine the area prior to any demolition or ground-disturbing activities, to see if there are any archaeological sites on it, in order to learn more information about this area in detail.

If you would like to discuss this information or other issues further, contact the State Historic Preservation Office Division of Historical & Cultural Affairs at (302) 744-7400 ext.25, and they will be more than happy to assist you.

Department of Transportation – Contact: Bill Brockenbrough 760-2109

Milford School District is seeking to develop school sites in the greater Milford area. One of the sites is part of a 6.6-acre parcel (Tax Parcel 3-30-11.05-436.00) that borders the east side of Richard Street, the north side of Lemuel Street and the east side of Claude Street in downtown Milford. Presently, this parcel is a largely undeveloped lot adjoining the campus of the Lulu M. Ross Elementary School. The District proposes to buy two or three acres of it for a new science lab.

Because this site has access and frontage only on municipal streets, it is outside DelDOT's jurisdiction. We have no comments on this site.

**The Department of Natural Resources and Environmental Control – Contact:
Kevin Coyle 739-9071**

Soils

Based on the Sussex Castle County soil survey update, the soils on this parcel were mapped as Downer and Fort Mott. Downer and Fort Mott are well-drained upland soils that, generally, have few limitations for development.

Water Supply

The project information sheets state water will be provided to the project by the City of Milford via a public water system. Our records indicate that the project is located within the public water service area granted to the City of Milford under Certificate of Public Convenience and Necessity 91-CPCN-09.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation.

All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Should you have any questions concerning these comments, please contact Rick Rios at 302-739-9944.

Sediment and Erosion Control/Stormwater Management

A detailed Sediment and Stormwater Plan must be approved by DNREC prior to beginning construction. Contact Elaine Webb at (302) 739-9921 to schedule a pre-application meeting.

Rare Species/Habitat

We have never surveyed the project area; therefore, it is unknown if there are state-rare or federally listed plants, animals or natural communities at this project site. Examination of aerial photographs and evaluation of our GIS database indicate that rare species are

unlikely to occur at this project site. However, we do recommend that the applicant protect the adjacent wetland area from impacts by providing at least a 100-foot upland buffer. This buffer zone will not only protect water quality within the wetlands but will provide critical habitat for wetland dependent species which utilize upland buffers during their life cycle.

Underground Storage Tanks

There is one inactive LUST site(s) located near the proposed project:

Rumpstitch Machine Works, Facility # 5-000668, Project # S9107138

No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel with nitrile rubber gaskets in the contaminated areas.

State Fire Marshal's Office – Contact: Duane Fox 739-4394

These comments are intended for informational use only and do not constitute any type of approval from the Delaware State Fire Marshal's Office.

Generally, this Agency makes no comments regarding, a Feasibility Plan. The information provided below shall be considered when plans are being designed.

At the time of formal submittal, the applicant shall provide; completed application, fee, and three sets of plans in accordance with the Delaware State Fire Prevention Regulation (DSFPR).

Preliminary meetings with Fire Protection Specialists are encouraged prior to formal submittal. Please call for appointment. Applications and brochures can be downloaded from our website: www.delawarestatefiremarshal.com, technical services link, plan review, applications or brochures.

Department of Agriculture - Contact: Scott Blaier 698-4500

The Delaware Department of Agriculture has no objections to the school district developing this parcel as part of its school campus expansion. The project is within the City of Milford and the *Strategies for State Policies and Spending* encourages environmentally responsible development in Investment Level 1 areas.

Public Service Commission - Contact: Andrea Maucher 739-4247

Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines. Contact: Malak Michael at (302) 739-4247.

Department of Education – Contact: John Marinucci 735-4055

1. The DOE supports locating school facilities on parcels with existing or reasonable access to civil infrastructure to include but not limited to:
 - Roads, pedestrian walkways and shared use paths
 - Waste water/sewerage and domestic water
 - Electric, and telecommunications
 - Storm water drainage and conveyance

School sites with public water and sewer utilities or access to public water and sewer utilities are recommended by DOE over sites requiring on-site facilities.

This parcel

is a contiguous parcel to the Lulu Ross Elementary School site which is already owned by the district.

2. The DOE supports the State Strategies for Policies and Spending. When considering school facility locations, the DOE considers proximity and access to basic support services as a high priority.

The parcel being reviewed is a additional parcel to lands already owned by the district and previously approved for school construction in accordance with Title 29, § 7525, Delaware Code.

3. The DOE supports locating school facilities strategically within the geographic region and/or community the facility is intended to serve in order to:
 - Encourage non-student pedestrian access to the school facility in an effort to reduce vehicle miles traveled to the extent practical

- Encourage student pedestrian access to the school facility, in order to contain the school's life-cycle operating costs associated with student transportation, as practicable
- Create education campuses by co-locating educational facilities and services in an effort to reduce life-cycle costs as a result of the co-located schools sharing common spaces, facilities and services.

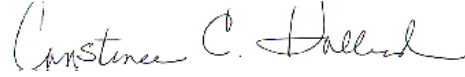
The parcel being reviewed is a additional parcel to lands already owned by the district and previously approved for school construction in accordance with Title 29, § 7525, Delaware Code.

4. The educational, civil, operational and/or architectural reason this land is required or how it will improve the over-all site plan is not yet clear. As such, the DOE will defer a position of support or non-support until such time that educational, civil, operational and/or architectural need for the parcel is clear. The DOE reserves the right to comment and/or develop a position of support or non-support for the acquisition of this parcel based on information provided by the Milford School district.
5. The Milford School District must submit a letter to the Department of Education initiating the Use or Acquisition of Lands for School Construction approval process in accordance with Title 29, § 7525, Delaware Code with the appropriate educational, civil, operational and/or architectural need justification for the parcel.
6. The DOE supports the acquisition of this parcel, provided that it be purchased with 100% local funds. There will be no State funding participation for this parcel.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in dark ink, reading "Constance C. Holland". The signature is fluid and cursive, with the first name "Constance" being more prominent than the last name "Holland".

Constance C. Holland, AICP
Director

CC: City of Milford